

Spring Creek Meadows
Design Review Guidelines

October 23, 2007

The Spring Creek Meadows Design Review Guidelines have been established under the Section 7.05 and Section 7.06 of the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Spring Creek Meadows.

Introduction

The Spring Creek Meadows Design Guidelines have been established to create an attractive rural community that responds to its unique natural setting.

SECTION 1: Objective

The objectives of the design review process are as follows:

- To promote a harmonious relationship of buildings, landscape topography, and overall community design while protecting view.
- To promote high quality construction through the use of long lasting, sturdy building materials
- To preserve, protect, and enhance property values within Spring Creek Meadows.

SECTION 2: The Process

The Design Review Board encourages the applicant to have a preliminary meeting to discuss their project. DESIGN CONCEPT REVIEW shall be early review to

affirm the general compatibility and direction of the design project and to avoid unnecessary time and money spent on detailed designs not meeting the Design Review Board goals and criteria. The DESIGN CONCEPT REVIEW is started with the submission of a simple one-page description of the general parameters of the construction project, along with any pictures, line drawings, schematics and renditions that exemplify the overall style and design features of the project, together with a construction timeframe. The DRB will review and respond as to general conformity to the overall design theme of the development, compatibility of the submitted design to a particular lot, and suggestions for inclusions that will make the design meet the criteria set forth in these Guidelines.

SECTION 3: Application

The completed application shall be submitted to the Design Review Board (DRB) with the following, at least 30 days before an approval decision is required:

- 2 full sets of blueprints or black line plans detailing accurate front, side and rear elevations, rooflines and roof pitches, window openings, chimneys and other design features.
- A schedule of exterior finishes, along with actual colors of roof, siding, stucco and stone.
- A site plan showing house, driveway, garage, outbuildings, and all set backs.
- Landscape plan showing the final grading, plants, and landscape material, along with an irrigation plan.
- \$50 plan review fee.

SECTION 4: Action by the DRB

The DRB shall reply to all submittals within 15 days after receipt. The DRB reserves the right to extend the date pending receipt of additional requested information. A \$1000 deposit will be exchanged for the DRB approval letter. The deposit, with the exception of a \$300 service and inspection fee, will be refunded by the DRB when the house and all landscaping has been completed according to the plans that were approved by the DRB. This deposit may be used by the DRB to pay for any repair, replacement or cleaning of road, fencing, plumbing or HOA landscaping that has been damaged by the contractor or his subcontractors. This includes, but is not limited to, the cleanup of blown trash. The DRB shall keep a complete set of all approved plans along with the approval letter.

4.1 Required Approvals — No building, fence, building alteration or other structure or improvement to any structure shall be made to a Spring Creek Meadows Lot, including but not limited to, a change in staining of exterior siding, unless complete and legible plans, specifications and samples have been first submitted to and approved in writing by the DRB. The DRB shall require applications for improvements to include two (2) sets of scaled permit ready plans and specifications to show exterior design, height, materials, stain color, location of the structure or additions to the structure, horizontal and vertical plots, location and size of driveways, a full site plan, landscaping plans, fencing, walls, windbreaks and grading plan, as well as such other materials and information as may be required by the DRB.

4.2 Variances — The DRB may grant reasonable variances or adjustments from any conditions and restrictions imposed by this Declaration in order to overcome practical difficulties and unnecessary hardships arising by reason of the application of the conditions and restrictions contained in these covenants or in a development guide.

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Such variances or adjustments shall be granted only when the granting thereof shall not be materially detrimental or injurious to the other Lots or Common Elements nor deviate substantially from the general intent and purpose of this Declaration. In the event that the request for a variance is disapproved by the DRB, the applicant shall have the right of appeal to the Executive Board of the Association.

4.3 Waivers – The approval or consent of the DRB, or appointed representative thereof, to any application for design approval shall not be deemed to constitute a waiver of any right to hold or deny approval or consent by the committee as to any application or other matters subsequently or additionally submitted for approval or consent.

4.4 Liability – The DRB and the members thereof, as well as any representative of the committee designated to act on its behalf, shall not be liable for damages to any person submitting requests for approval or failure to approve or disapprove in regard to any matter within its jurisdiction under these covenants. Every Lot Owner or other person who submits plans for approval agrees, by submission of such plans and specifications, that he will not bring any action or suit against the approving body or Declarant to recover any such damages. Approval of plans and specifications shall not be deemed to constitute compliance with the requirements of any local building codes or land use regulations, and it shall be the responsibility of the Lot Owner or other person submitting plans and specifications to comply therewith.

4.5 Records – The DRB shall maintain written records of all applications submitted to it and of all actions taken by it with respect thereto. Such records shall be open and available for inspection by any interested party during reasonable hours of the business day.

4.6 Inspection – The DRB shall have the right and authority to inspect construction in progress to assure its conformance with plans approved by the Committee.

4.7 Enforcement – Enforcement of this Declaration may be by any proceeding of law or in equity against any person or persons violating or attempting to violate any such provision. The DRB and any interested Lot Owner shall have the right, but not the obligation, to institute, maintain and prosecute any such proceedings. In any action instituted or maintained under this Article, the DRB shall be entitled to recover its costs and reasonable attorneys' fees incurred pursuant thereto, as well as any and all other sums awarded by the Court. Failure of the DRB or of any Lot Owner to enforce any covenant or restriction herein contained shall, in no event, be deemed a waiver of the right to do so thereafter.

SECTION 5: Design Criteria

5.1 Architecture and Building Materials – The exterior of all structures shall feature a combination of stone, wood, stucco or rusted corrugated metal and large timber. All exterior colors, including roofs, shall blend with the natural surroundings. All exterior wood shall generally retain a natural, earth-tone color or be stained with neutral tones, except that window and fascia trim may be painted with brighter colored paint for accent and interest.

a) **Porches.** All dwelling units will be encouraged to have one hundred square feet of covered entry way incorporated with the front door entry area.

b) **Garages.** If a garage is a front facing garage, the Home Owner shall exert every effort to make the front entrance to the house more prominent ("proud") than the garage doors. The front porch needs to be a minimum of six feet (6') in

front of the garage. Garages that create an "L" shape to the house and enter from the outside of the "L" shall be preferred.

(c) **Siding.** Aluminum and vinyl siding or plywood shall be strictly prohibited. Stucco, Faux Stone and Wood Sidings are permitted. Cement Board or Masonite is permitted. Wood siding may be run vertically or horizontally. Rusted, Corrugated Metal Siding, as an accent material shall also be permitted. These restrictions shall not be read to prohibit materials that are created and/or invented after the dates of these covenants; however, the use of any such material must be approved by the DRB.

(d) **Roofs.** Architectural quality asphalt shingles will be permitted. Rusted or non-colored corrugated metal, slate, concrete roof tiles, and cedar shingles shall be permitted. Colored metal roofs may be used if the color is approved by the DRB. Reflective and galvanized roofs shall not be permitted.

(e) **Roof Pitches.** Rooflines shall be varied and broken, with an avoidance of long spans of unbroken roof planes. Gable or hip roof forms shall be encouraged to break up long rooflines. Dormers may have gable, hip or sheds.

(f) **Gutter/Flashing.** Exposed metal flashing, gutters, downspouts, snow fences and other roof hardware shall be color-coordinated to match the finish and/or color or adjacent materials.

(g) **Chimneys and Flues.** Chimneys and flues shall have an exterior finish of stone, stucco or rusted metal.

(h) **Retaining Walls.** Retaining walls shall not be made of railroad ties or exposed, unfinished concrete. All retaining walls must be covered with stone, stucco, rusted metal, faux stone, or other material approved by the DRB.

(i) **Construction Time.** All construction shall be completed not more than twelve (12) months from the issuance of a Building Permit.

(j) **Landscaping.** A formal landscape plan shall be submitted to the DRB along with the Construction Plans. Landscaping must be installed in the front yard and completed within six (6) months of occupancy of the residence. The balance of the

landscaping shall be completed within twelve (12 months) of occupancy. Landscaping shall consist of any combination of attractive grass, rock and ground cover vegetation and of not less than six (6) trees having an initial minimum trunk diameter of one and one-half (1 ½) inches and six (6) feet of height. To the extent rock is used, no more than fifty (50%) of the total landscape area shall be covered with rock. Bark, wood chips or organic mulch can only cover 20% of the lot area. All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plant material, elimination of weeds and undesirable grasses and removal of trash.

(k) **Irrigation.** Irrigation water has been piped to all lots by the HOA. Water schedules for the Subdivision will be determined by the DRB. A sprinkler system shall be installed in all front yard areas. Care should be given in the design of the system to minimize over spray onto walkways, driveways, and streets. All pumps or equipment pertaining to irrigation systems shall be housed in a "dog house" type structure which shall have DRB approval.

(l) **Set Back.** Front set back shall be 75 feet and side and rear shall be 50 feet. The DRB shall have the authority to change set backs if a Lot owner is able to present an acceptable argument for the change.

(m) **Driveways.** Only one driveway per lot shall access the subdivision road.

(n) **Building Size.** The minimum size of a house footprint shall be 1800 sq. ft. livable space for a one-story house. Any house with a second story shall have a minimum total 2200 sq. ft. with a livable footprint of 1800 sq. ft.

(o) **Barns and Outbuildings.** Any barns and outbuildings shall utilize the same architectural theme as the main house. The minimum size of the barn shall be 10' X 20'. If the barn is intended to be used for animals, then the location of the barn and its influence on the neighboring lots shall be considered.

(p) **Animals.** The following lots in Spring Creek Meadows shall be allowed to board no more than three (3) animals as follows: 3 horses, or 3 sheep, or 3 llamas, or

3 cows, or a combination for a total of three of any of these animals: 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 54, 55, 58, 59, 60, 61, 62, 63, 64, 65, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82 and 83.

(q) **Construction Traffic.** The DRB shall require all builders to notify their subcontractors and employees working on the project to enter the subdivision from the intersection of LaSalle and Kansas Road, and not use the 6100 Road to access the subdivision.

(r) **Septic Systems.** All lots in Spring Creek Meadows require an engineered septic system. The Buyer/Owner/Builder should contact Bearcreek Management at (970) 626-4125 for septic design advice.

(s) **Fences.** Only two (2) or three (3) rail split rail fences will be allowed in the front yard. Split rail with welded wire on the inside will be permitted in the backyard. The DRB needs to approve any other type of fencing. Vinyl fencing and chain link fencing will not be allowed. Deer fencing will be allowed to protect a vegetable garden in an area near the house only.

(t) **RV Parking.** RV parking should be enclosed or screened. It will need to be within twenty (20) feet of the side or rear of the house and have ample screening that must be approved by the DRB.

(u) **Household Pets.** Household pets should be limited to a total of three (3) pets (cats or dogs) per household. All pets shall be under their owner's control either by leash or voice command at all times when the pet is not on the owner's property.

These Design Guidelines have been established to protect property values while creating a harmonious relationship with all the structures. The DRB shall be allowed to change, add or delete provisions to the guidelines with the Board of Directors approval. Thank you for purchasing your lot at Spring Creek Meadows, and we hope your stay will be comfortable and prosperous.